

Subject: Re: Lawsuit

From: Bruce Ecker

Date: 02/16/2017 11:42 AM

To: Ben Schirmer <ben@hcbf.org>, Lorena Parker <lparker@sanpedrobid.com>

CC: "mike.n.feuer@lacity.org" <mike.n.feuer@lacity.org>, James Allen <james@randomlengthsnews.com>, Augie Bezmalinovich <ABezmalinovich@portla.org>, James Brown <jbbeer@msn.com>, OFFICE OF THE CITY CLERK <Clerk.NBID@lacity.org>, eric eisenberg <ericeoban@gmail.com>, "Warren A. Gunter" <w.gunter@sbcglobal.net>, Warren Hsiao <warren@parkhurstgalleries.com>, Terelle Jerricks <editor@randomlengthsnews.com>, Alan Johnson <alanj@victory-group.com>, Greg Morena <greg@synergykmc.com>, "ruben.vives@latimes.com" <ruben.vives@latimes.com>, Morris Warschaw <morriswarschaw@gmail.com>

Ben,

Thanks for the reply.

I have run across the publicly available information on lacity.org and have also obtained the original complaint. The response to the complaint is listed as:

Attorneys for Defendants
SAN PEDRO HISTORIC
6 WATERFRONT PROPERTY AND
BUSINESS IMPROVEMENT
7 DISTRICT AND SAN PEDRO
PROPERTY OWNERS ALLIANCE

This indicates that it was the BID that decided to both fight and fund this the legal response. Since this complaint was a challenge to the formation of a Business Improvement District, since the city counsel decided to settle rather than fight the claim, and since this property was refunded 5 years of assessments, I think this information is of material interest to all stakeholders in the BID, especially since the BID charter is up for renewal this year.

Even though the settlement issue was held in closed session, I am sure there is someone on the board that is aware of why this issue was settled rather than litigated.

There are a number of properties on both the norther and southern boundary of the BID that appear to be little more than a land-grab by the BID. Many of these properties are residential only, outside of the downtown business area, and receive little if any benefit from the assessments they pay.

I am going to continue to request any information that the BID is in possession of regarding this case, and the cost to the stake holders to defend against this complaint.

Thanks again for the reply,

Bruce Ecker

On 2/15/17 11:18 AM, Ben Schirmer wrote:

Bruce,

I am going to jump in here. What you are requesting is all public record. If you simply Google the case number you can easily get the documents you are requesting. Please note, this was a lawsuit against the City of Los Angeles therefore any discussions about the case were held in closed session and therefore not public.

Attached is a motion that states the action taken by the City.

Ben Schirmer, Executive Director
Harbor Community Benefit Foundation

302 W. 5th Street, Suite 300
San Pedro, CA 90731

From: Bruce Ecker [<mailto:larux@pacbell.net>]

Sent: Tuesday, February 14, 2017 4:25 PM

To: Lorena Parker <lparker@sanpedrobid.com>

Cc: mike.n.feuer@lacity.org; James Allen <james@randomlengthsnews.com>; Augie Bezmalinovich

[<ABezmalinovich@portla.org>](mailto:ABezmalinovich@portla.org); James Brown [<sjbbeer@msn.com>](mailto:sjbbeer@msn.com); OFFICE OF THE CITY CLERK
[<Clerk.NBID@lacity.org>](mailto:Clerk.NBID@lacity.org); eric eisenberg [<ericeoban@gmail.com>](mailto:ericeoban@gmail.com); Warren A. Gunter [<w.gunter@sbcglobal.net>](mailto:w.gunter@sbcglobal.net); Warren
Hsiao [<warren@parkhurstgalleries.com>](mailto:warren@parkhurstgalleries.com); Terelle Jerricks [<editor@randomlengthsnews.com>](mailto:editor@randomlengthsnews.com); Alan Johnson
[<alanj@victory-group.com>](mailto:alanj@victory-group.com); Greg Morena [<greg@synergykmc.com>](mailto:greg@synergykmc.com); ruben.vives@latimes.com; Ben Schirmer
[<ben@hcbf.org>](mailto:ben@hcbf.org); Morris Warschaw [<morriswarschaw@gmail.com>](mailto:morriswarschaw@gmail.com)

Subject: Re: Lawsuit

Lorena

I am requesting the settlement document from 2013.

Please let me know when I can expect to receive this from you.

Bruce Ecker

On 2/14/17 3:59 PM, Lorena Parker wrote:

Mr. Ecker,

As I have stated, we do not have the capacity to retain excessive paper records in our small storage area and we are not required to retain records for more than three years. You have requested a paper file from 2012.

Thank you for understanding that we cannot accommodate your request.

Best regards,

Lorena Parker
Executive Director
San Pedro Property Owners' Alliance
San Pedro Historic Waterfront
Business Improvement District
390 W. 7th Street | San Pedro, CA 90731
T [310.832.2183](tel:310.832.2183) | F [310.832.0685](tel:310.832.0685)
Lparker@sanpedrobid.com
www.sanpedrobid.com

On Tue, Feb 14, 2017 at 3:51 PM, Bruce Ecker [<larux@pacbell.net>](mailto:larux@pacbell.net) wrote:

Lorena,

I am going to request that you make some kind of effort to product the requested information.

I have supplied you with a case number, the name of the law firm that handled the case, and the names of people that are currently on the board that were also on the board at the time of the settlement. It shouldn't take much effort to exhume this information.

Please let me know when I can expect this information from you.

Bruce Ecker

On 2/14/17 3:32 PM, Lorena Parker wrote:

I don't have the information so therefore I cannot give you anything.

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Executive Director
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On Tue, Feb 14, 2017 at 3:28 PM, Bruce Ecker <larux@pacbell.net> wrote:

Loren,

I would like a copy of the settlement of this lawsuit. I would also like to know what the BID spent on defending this suit. I would like to know why the city attorney recommended that the Los Angeles City Council voted to settle this issue. I would like to know why Harbor Towers was refunded almost \$100,000 in assessments. I am not the only one in the BID that is interested in this information and with the potential renewal of the charter this is information that needs to be made public.

Please let me know when I can expect this information from you.

Bruce Ecker

On 2/14/17 3:21 PM, Lorena Parker wrote:

You are confusing paper files with electronic files.

Lorena Parker
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On Tue, Feb 14, 2017 at 2:39 PM, Bruce Ecker <larux@pacbell.net> wrote:

Lorena,

I find it less than believable that the BID only keep records for three years since in the past you have provided me with records from 2010 and earlier. If you don't have the information on this suit in your files you can get it from the attorney that the BID was working with at the time. Also, the suit was settled in 2013 so you should still have a copy. Please let me know when I can expect to receive this information.

Bruce Ecker

On 2/14/17 1:46 PM, Lorena Parker wrote:

Bruce,

Regarding your various email requests regarding a 2012 lawsuit. Since we only keep records for three years, I do not have any records and therefore cannot provide you with that information.

Best regards,

Lorena Parker
Executive Director
San Pedro Property Owners' Alliance
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Lorena,

When can I expect the information I requested?

Please add the cost of legal services paid by the BID to defend this complaint

Bruce Ecker

----- Forwarded Message -----

Subject:Re: Lawsuit

Date:Wed, 1 Feb 2017 19:52:09 -0800

From:Bruce Ecker <larux@pacbell.net>

To:Lorena Parker <lparker@sanpedrobid.com>

Lorena,

Complaint attached.

You keep claiming you know nothing about this and don't know who to ask. I suggest you speak to any of the current PBID board members that were on the board at the time of the lawsuit... I am sure Eric Eisenberg or Alan Johnson will be able help you.

When can I expect the information I requested?

Bruce Ecker

On 2/1/17 2:16 PM, Lorena Parker wrote:

Bruce,

What the the nature of the complaint?

Lorena Parker
Executive Director
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On Tue, Jan 31, 2017 at 3:20 PM, Bruce Ecker <larux@pacbell.net> wrote:

Lorena

Besides the final settlement, I would like to revise this request to include any additional documents that pertain to this issue that were generated by the Board.

I have already obtained the 141 page original complaint and the 10 page Verified Answers of the Respondents/Defendants, so these two documents can be omitted.

Please let me know what you consider a reasonable time frame to receive these from you.

Bruce Ecker

----- Forwarded Message -----

Subject:Re: Lawsuit

Date:Fri, 27 Jan 2017 10:46:46 -0800

From:Bruce Ecker <larux@pacbell.net>

To:Lorena Parker <lparker@sanpedrobid.com>

Lorena,

The suit was filed in November of 2012, and was settled some time in 2013.

The attorneys that were working for the BID at the time were Paul Rohrer and Jennifer Jason (Loeb and Loeb LLP).

On 1/27/17 4:14 AM, Lorena Parker wrote:
Bruce,

I don't know anything about this. When did this take place?

Lorena Parker
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On Thu, Jan 26, 2017 at 10:48 PM, Bruce Ecker <larux@pacbell.net> wrote:

Lorena

I would like a copy of the final settlement of Case No. BS140224

MESA RHF PARTNERS, L.P. vs. THE CITY OF LOS ANGELS, SAN PEDRO HISTORIC
WATERFRONT PROPERTY AND BUSINESS IMPROVEMENT DISTRICT

Please let me know what you consider a reasonable date to expect to receive this document from you.

Bruce Ecker